Statement of Support for the Implementation of President Obama’s Immigration Accountability Executive Actions

Endorsed January 2015

WHEREAS, the National Asian Pacific American Bar Association (NAPABA) is the national association of Asian Pacific American attorneys, judges, law professors and law students, representing the interests of over 40,000 attorneys and nearly 70 national, state, and local Asian Pacific American bar associations; NAPABA members include solo practitioners, large firm lawyers, corporate counsel, legal service and non-profit attorneys, and lawyers serving at all levels of government; and NAPABA is committed to addressing civil rights issues confronting Asian Pacific American communities and people of color;

WHEREAS, our Nation’s broken immigration system needs to be fixed by Congressional action and the passage of commonsense immigration reform;

WHEREAS, Congress has failed to pass a bipartisan, comprehensive immigration bill to fix our immigration system;

WHEREAS, it is in the lawful authority of the President of the United States to direct federal agencies through the use of executive orders;

WHEREAS, under the direction of President Obama, the U.S. Department of Homeland Security Secretary Jeh Johnson and U.S. Department of Justice Attorney General Eric Holder undertook a rigorous and inclusive review to inform recommendations on reforming our broken immigration system through executive action;

WHEREAS, the assessment identified 10 areas within the confines of the law where executive action could be taken to increase border security, focus enforcement resources, and ensure accountability in our immigration system;

WHEREAS, those actions were announced on November 20, 2014 by President Obama and collectively called Immigration Accountability Executive Actions on Immigration;

WHEREAS, President Obama issued his Immigration Accountability Executive Actions in order to fix as much of our broken immigration system as possible;

WHEREAS, President Obama’s Immigration Accountability Executive Actions will benefit some of the approximately 1.3 million Asian Pacific Americans who are undocumented immigrants, making up 12% of the total undocumented population, through the expansion of the Deferred Action for Childhood Arrivals (DACA) program and the creation of the Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) program;
WHEREAS, President Obama’s Immigration Accountability Executive Actions will benefit many Asian Pacific Americans who are unable to access family-based immigration options because of barriers in the existing system, including for individuals who are currently undocumented in the United States, through expansion of the provisional waivers of the unlawful presence program;

WHEREAS, President Obama’s Immigration Accountability Executive Actions will benefit individuals from Asia, who made up to 75% of all H-1B visa beneficiaries in 2012, by providing employment authorization to the spouses of H-1B beneficiaries who are on the pathway to obtaining green cards;

WHEREAS, President Obama’s Immigration Accountability Executive Actions will benefit many individuals from Asia seeking green cards through the employment-based immigration system who are subject to a backlog of several years for visa availability by allowing for greater flexibility to change jobs or accept a promotion;

WHEREAS, China, India, and Korea are among the top 10 countries from which immigrant entrepreneurs come to the United States, and the President’s plan will expand options for entrepreneurs providing a significant public benefit by creating jobs, attracting investment, and generating revenue in the United States;

WHEREAS, a great majority of foreign students in the United States are Asian, with the highest numbers coming from China, India, South Korea, Japan, Taiwan, and Vietnam, and the President’s plan will expand and strengthen the existing Optional Practical Training (OPT) program in order to allow students to receive the skills they need to further their education;

WHEREAS, 65% of Asian Pacific American voters strongly supported the President’s taking executive action on immigration;

WHEREAS, Asian Pacific American communities and many other immigrant communities stand to benefit from the President’s actions; and

WHEREAS, the President’s executive actions on immigration seek to maximize the enforcement abilities of United States immigration agencies by reallocating resources along the border, prioritizing the removal of criminal aliens, and reducing the burden on administrative agencies.

THEREFORE BE IT RESOLVED, that NAPABA:

1. Calls for full support of President Obama’s Immigration Accountability Executive Actions.

2. Authorizes its president, board, and staff to communicate the content of this resolution to its members, affiliates, other bar associations, members of Congress, the Administration, the press, and others to take steps to implement this resolution, as they deem necessary.

3. Supports this resolution as a policy priority until it is withdrawn or modified by subsequent resolution.